



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 2
290 BROADWAY
NEW YORK, NY 10007-1866

FEB 13 2019

Mr. Mark Klotz, P.E., Director
Division of Water
New York State Department of Environmental Conservation
625 Broadway, 4th Floor
Albany, New York 12233-3500

Dear Mr. Klotz:

On January 29, 2019, the EPA sent the NYSDEC a letter in response to the NYSDEC's June 13, 2018 letter regarding NYSDEC's revised water quality standards for Class SD and Class I waters (at 6 NYCRR Sections 703.4(a), 703.4 (b), 701.13 and 701.14) adopted by the State on November 4, 2015 (2015 Rulemaking).

On page 2 of the EPA's January 29, 2019 letter (attached), the EPA misquoted the NYSDEC's notice for its public hearing for the 2015 Rulemaking. The EPA's January 29, 2019 letter states, "[i]n the notice for its public hearing for the 2015 Rulemaking (Attachment A), NYSDEC stated that the hearing is on NYSDEC's 'proposal surface waters be suitable for primary contact recreation, such as swimming.'" The letter should have stated, "[i]n the notice for its public hearing for the 2015 Rulemaking (Attachment A), NYSDEC stated that the hearing is on NYSDEC's 'proposal to amend 6 NYCRR Parts 701 and 703 to require that the quality of Class I and Class SD saline surface waters be suitable for primary contact recreation, such as swimming.'"

The EPA hopes this letter corrects and clarifies the error in the January 29, 2019 letter. I look forward to our continued collaboration with the NYSDEC to further improve New York State's water quality standards. If you have any questions, please call me at 212-637-4125 or have your staff contact Alyssa Arcaya, Chief, Clean Water Regulatory Branch at 212-637-3730.

Sincerely,

A handwritten signature in black ink, appearing to read "Javier Laureano", is positioned above the printed name and title.

Javier Laureano, M.P.A., Ph.D.
Director
Clean Water Division